



Department of Commerce
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Washington Lead-Based Paint Program

*Report on Performance and Outcomes
July 1, 2011 - June 30, 2013*

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Report to the Legislature
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Acknowledgements

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Introduction

The Lead-Based Paint Program helps ensure that work performed within homes containing lead-based paint is completed in a safe and healthy manner. Lead-based paint is the leading environmental hazard to children under the age of six, and exposure can lead to permanent learning disabilities. Most lead-based paint hazards are found in housing built before 1960.

In 2003, the Washington State Legislature established a “lead-based paint activities program” within the Department of Commerce (Commerce). This program is referred to as the abatement program. The program’s statutory authority is to protect the general public from exposure to lead hazards and to ensure the availability of a trained and qualified work force to identify and address lead-based paint hazards ([RCW 70.103.010](#)).

The program accredits lead-based paint training programs and certifies contractors who perform lead-based paint remediation work. Program staff process certification and accreditation applications, track licensees, review training and program effectiveness, provide technical assistance, investigate potential violators, enforce rules, conduct outreach, maintain website information, and represent the agency regarding all lead issues.

In 2010, the Legislature added the Renovation, Repair and Painting (RRP) program, and the lead-based paint unit runs the abatement and renovation programs side-by-side. The abatement program certifies individuals and firms who generally work as specialty contractors. Typically, abatement contractors do projects for the U.S. Department of Housing and Urban Development or other housing authorities that require a specific type of license because of the presence of lead.

The renovation program essentially performs the same functions as the abatement program, including accrediting training providers, certifying firms and individuals, and enforcing RRP requirements. However, the RRP rule applies to anyone who performs work for compensation on a pre-1978 residence when that work disturbs more than 20 square feet of paint exterior and six square feet interior.

The Environmental Protection Agency (EPA) provides a yearly grant that funds both programs. EPA has been emphasizing with state and tribal authorities the need to work towards being self-sustaining. Currently, Commerce collects a \$25 certification fee for a three-year period for abatement contractors, and \$25 for a five-year period for renovation contractors. In order for the Commerce programs to become self-sustaining, a fee increase will be necessary. At \$25, Commerce has the lowest program fee in the nation; the next lowest fee is \$125.

This report provides updates on program status, costs, and the number of persons certified per legislative direction in [RCW 70.103.050](#).

Program Accomplishments

Program Status

- The Lead-Based Paint Program publishes an e-newsletter, [LeadLines](#), every six months. It is distributed to all certified individuals and firms. The newsletter is a forum for the program to discuss compliance, and legislative or regulatory issues with the regulated public and other interested parties.
- The primary purpose of Commerce's ongoing enforcement program is ensuring homes with children are safe from lead exposure. The program's first priority is education. Between July 1, 2011 and June 30, 2013, Commerce issued 59 citations for violations of lead-paint removal regulations; fines averaged \$2000 per site. However, collections are much lower because many first-time offenders take the training and become certified, reducing the actual fine collected.
- Commerce is finalizing updates to its database to accommodate RRP certifications. The RRP certification module will model the abatement certification module, and track individuals, firms, training providers, training notifications, and cancellations.
- Lead-Based Paint Program staff attended a tri-regional lead training in Portland in September 2012. All staff recertified their credentials within the biennium by attending refresher trainings in Denver, Colorado and Anaheim, California.

Costs

The Lead-Based Paint Program is funded through an annual operating grant from the EPA. Program income, generated from certification fees, offsets federal funds and must be spent first.

In the 2012 federal fiscal year (October 1, 2011 to September 30, 2012), the program:

- Received no federal funds because of accumulated federal reserves.
- Generated \$60,905 in fees.
- Spent \$32,500 of program income.

In the 2013 federal fiscal year (October 1, 2012 to September 30, 2013), the program:

- Received \$384,822 in federal grant funds.
- Generated \$60,905 in fees.
- Spent \$32,500 of program income.

For the 2012-2013 federal biennium, expenditures totaled \$384,822 in federal funds and \$65,000 in program income. Including accumulated federal reserves of \$218,784, the program expended a total of \$668,606 for the biennium.

Number of Persons Certified

From July 1, 2011, through June 30, 2013, Commerce issued lead-based paint certifications to:

- 199 lead-based paint firms.
- 595 lead-based paint individuals.
- 3,081 renovation, repair and painting firms.
- 9,035 renovation, repair, and painting individuals.